

CONDITIONAL USE PERMIT JUSTIFICATION STATEMENT

**THE REVOLUTION IN COUNSELING (APPLICANT)
SOBER LIVING COMMUNITIES, LLC (OWNER)
21-CUPPA-0138 – 1043 S. JACKSON STREET
21-CUPPA-0113 – 1039 S. JACKSON STREET**

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September 3, 2021

The applicant, The Revolution in Counseling (“Applicant”), and the property owner, Sober Living Communities, LLC (“Owner”), are requesting conditional use permits pursuant to recently amended Section 4.2.31 of the Land Development Code for all of Louisville – Jefferson County, Kentucky (“LDC”) to allow the continued operation of rehabilitation homes on properties located at 1039 & 1043 S. Jackson Street; Owner also owns the 1045 S. Jackson Street property, which is currently vacant and will remain vacant (the “Property”). The Owner recently acquired the rehabilitation home from their original founders and operators – 1039 S. Jackson Street (known as Ignatius Hall) and 1043 S. Jackson Street (known as McKiernan Hall), respectively – and wishes to carry on these necessary facilities in compliance with the LDC. David Tarullo is the manager of the Revolution in Counseling, LLC, and is a professional in this area, for David is certified as a licensed clinical social worker (LCSW), licensed clinical alcohol and drug counselor (LCADC), and holds certification with the Center for Substance Abuse Treatment (CSAT). With the appropriate experience, necessary certifications, and passion for helping those in the Louisville Metro community fighting substance abuse, the Applicant is well-positioned to continue providing the services required to successfully manage and operate the rehabilitation homes on the Property.

Ignatius Hall and McKiernan Hall both sit on property zoned R-8A, Multi-Family Residential, which are encompassed within the Shelby Park Traditional Neighborhood Form. The requested conditional use permits comply with Plan 2040, A Comprehensive Plan for Louisville Metro (“Plan 2040”) because the Traditional Neighborhood Form is characterized by predominantly residential uses, by a grid pattern of streets with sidewalks and often including alleys. Residential lots are predominantly narrow and often deep, but the neighborhood may contain sections of larger estate lots, and also sections of lots on which appropriately integrated higher density residential uses may be located. There is usually a significant range of housing opportunities, including multi-family dwellings. Traditional Neighborhoods often have a significant proportion of public open space such as parks or greenways. The Property contains three of the four lots on the east side of a section of S. Jackson Street located between E. St. Catherine Street and E. Kentucky Street that resemble the predominant narrow and rectangular lotting pattern of the Traditional Neighborhood form. The existing residential structures will remain and no new construction or exterior remodeling to the existing structures are proposed, ensuring the existing development pattern is preserved. Adjacent to the north of Ignatius Hall is a larger lot whereon the Jackson Woods Apartment complex sits, and to the south of the vacant 1045 S. Jackson Street is an alleyway running east-west which serves residential properties fronting E. St. Catherine Street. The Applicant proposes small parking areas behind 1039 S. Jackson Street (1 space) and 1043 S. Jackson Street (2 spaces) and a drive aisle to connect to this alleyway; street parking on S. Jackson Street is also available. Otherwise, there are no proposed changes to

the existing grid pattern of streets, sidewalks, and alleys. The lots on the western side of this block of S. Jackson Street are larger square lots whereon St. Vincent De Paul (directly across from the Property) as well as another section of Jackson Woods Apartments are located. One block directly south of the Property is Shelby Park, which offers public park space to the residents within short walking distances.

The requested conditional use permits for Ignatius Hall and McKiernan Hall are compatible with the surrounding area, which is comprised of structures of varying multi-family densities and architectural styles. Both existing facilities have operated in their respective locations for over twelve years and, except for ordinary maintenance and upkeep to the structures, have kept their residential appearances intact without issue. Moreover, the residents who reside at either Ignatius Hall or McKiernan Hall live together as one housekeeping unit without cutting up the residence into separate apartments or boarding rooms, without creating new doors of entry/exit to access separate living spaces, no placing of numerous mailboxes to the front façade, nor installing numerous meters on the building, etc., thereby preserving the residential feel and character of the neighborhood and within an acceptable density. Six parking spaces are proposed to serve the Property, which is more than adequate considering the residents do not drive themselves and because S. Jackson Street is served by TARC. Additionally, maintaining the existing appearance of the two structures will also preserve the current compatibility of how the residential structures relate to their adjacent properties and surrounding properties, notably from an appearance, intensity, height, bulk and scale aspect. Consequently, the conditional use permits will not adversely affect the character and integrity of the neighborhood or the physical appearance of the Property; rather, the conditional use permits, if approved, will allow the successful continued operation of Ignatius Hall and McKiernan Hall in compliance with the LDC so that they can provide the necessary alternative housing for residents who are recovering from the struggles of addiction.

Parking spaces are provided on-site and on S. Jackson Street to meet LDC requirements, including handicap-accessible spaces as required by the ADA. Pedestrian connections are established within the public right-of-way network throughout the immediate area and beyond; as mentioned, TARC serves this section of S. Jackson Street, thereby equipping the residents with options of multi-modal transportation. The subject property is located above the 100-year floodplain, does not contain steep slopes, unstable soils, or blueline streams and, as a result, there are no environmental constraints that would affect the continued use of the property. All necessary public utilities are available and the property is served by Louisville Fire Department District 2 and the Louisville Metro Police Department, Fourth Division. Therefore, the proposed conditional use permit will promote the general health, safety and welfare, and will not have a negative effect on neighboring properties. Accordingly, the Applicant's requested conditional use permits for Ignatius Hall and McKiernan Hall Rehabilitation Homes comply with Plan 2040.

The listed requirements in LDC Chapter 4, Section 4.2.31 Rehabilitation Home

A. All bedrooms and sleeping areas shall meet the current occupancy limitations required in LMCO and any applicable building, fire, or left safety code.

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Applicant and Owner will comply with listed requirement A.

B. Nonresidential uses and services, excluding those that are accessory to the Rehabilitation Home use, shall not be carried out unless otherwise permitted and approved as a separate use.

Applicant and Owner will comply with listed requirement B.

C. When reviewing a conditional use permit application for a Rehabilitation Home, the BOZA shall, to the best of its abilities, find that the establishment of the use will not result in harm to the health, safety, or general welfare of the surrounding neighborhood. The property on which a Rehabilitation Home is situated shall not be located closer than 1,000 feet (measured in a straight line from nearest property line to nearest property line) to any property on which another Commercial Boarding House, Rehabilitation Home, or Transitional Housing use that has been approved by a conditional use permit is situated.

With its applications, Applicant and Owner request **waiver relief** from listed condition C so that they can continue to operate Ignatius Hall and McKiernan Hall Rehabilitation Home facilities in their current locations, where the Rehabilitation Homes have operated for eighteen (18) and twelve (12) years, respectively, while causing zero harm to the health, safety, or general welfare of the surrounding neighborhood.

D. A Rehabilitation Home shall meet the health, sanitation, structural, property maintenance, fire, and life safety requirements of any currently applicable federal, state, and local laws.

Applicant and Owner will adhere to listed requirement D.

E. A Rehabilitation Home shall provide appropriate 24-hour supervision of its residents and adequate support services for its residents.

Applicant and Owner will comply with listed requirement E.

F. Additional Residential Zoning District Standards:

1. The maximum number of residents of a Rehabilitation Home in multi-family residential zoning district (R-8A) shall be determined by the BOZA.

Applicant and Owner request up to ten (10) residents per Rehabilitation Home, which are situated on property zoned R-8A multi-family and each operate as one house-keeping unit.

2. Any building in which the Rehabilitation Home use is situated shall be residential in design and appearance.

Applicant and Owner currently operate out of structures that have residential designs and appearance and no changes to said structures are proposed.



3. *New construction within an area having an established front building setback shall be constructed at the average setback line or the minimum front yard of the form district, whichever is less. Structures adjacent to established residential uses shall increase side yards by 10 feet for each story over two(2).*

No new construction is proposed with the CUP applications.

4. *The required parking for the use is set forth in Chapter 9 of this Land Development Code. The BOZA may require additional parking if warranted.*

Parking for the use will comply with applicable LDC provisions.

5. *Signage for the use is permitted in accordance with Chapter 8 of this Land Development Code.*

Applicant and Owner will comply with applicable signage requirements. Currently, no signage is utilized on the properties.

H. *For a complete application submittal for any Rehabilitation Home conditional use permit, in addition to the documentation required of all conditional use permit applications, the following additional information shall be provided:*

1. *Type of resident population to be served, if any;*

Male residents who are in treatment for alcohol and substance abuse;

2. *The maximum number of residents/beds and maximum number of employees;*

Up to 10 residents and 1 live-in manager per facility;

3. *Floor plans of any building subject to the use (showing the location and dimensions of all bedrooms and sleeping areas;*

Applicant and Owner will provide this information.

4. *A written statement, plans, and/or permits indicating how any building subject to the application meets or will adapted to meet all applicable building codes for the use if approved; and*

Applicant and Owner will provide after inspection from the necessary governmental official charged with enforcing building code provisions.

5. *Rules of conduct and management plan.*

Applicant and Owner will provide.

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